

Bill No. S-72-06-20

SPECIAL ORDINANCE NO. S- 58-72.

AN ORDINANCE approving memorandum of understanding between DANNIE'S MOBILE HOMES, INC. and the CITY OF FORT WAYNE for sanitary sewage disposal and treatment facilities in Valley Hills Estates.

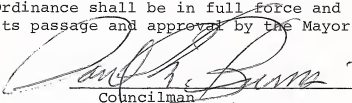
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Memorandum of Understanding approved June 1, 1972, between DANNIE'S MOBILE HOMES, INC., as developer; and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and the Board of Public Works, as City, for sanitary sewage disposal and treatment facilities in Valley Hills Estates, the total cost of said facilities to be borne by Developer, all as more particularly set forth in said Memorandum of Understanding, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Developer, for itself, its successors in titles and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against, or otherwise object to, interfere with, or oppose any pending or future annexation by City of any territory now or hereafter owned by it, or hereafter <sup>SERVED</sup> served by said facility.

Any owner or owners of land which is now, or hereafter, located outside the corporate limits of City who connect into the sewage facilities hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said facilities.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

  
Councilman

APPROVED AS TO FORM  
LEGALITY, \_\_\_\_\_

  
CITY ATTORNEY

Read the first time in full and on motion by Burns seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on City Utilities (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.)

Date: 6-27-72

Charles W. Whistman  
CITY CLERK

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage.  
Passed (~~test~~) by the following vote:

	AYES <u>8</u>	NAYS _____	ABSTAINED _____	ABSENT <u>1</u> to-wit:
Burns	<input checked="" type="checkbox"/>	_____	_____	_____
Hinga	<input checked="" type="checkbox"/>	_____	_____	_____
Kraus	<input checked="" type="checkbox"/>	_____	_____	_____
Nuckols	<input checked="" type="checkbox"/>	_____	<input checked="" type="checkbox"/>	<u>1</u>
Moses	<input checked="" type="checkbox"/>	_____	_____	_____
Schmidt, D.	<input checked="" type="checkbox"/>	_____	_____	_____
Schmidt, V.	<input checked="" type="checkbox"/>	_____	_____	_____
Stier	<input checked="" type="checkbox"/>	_____	_____	_____
Talarico	<input checked="" type="checkbox"/>	_____	_____	_____

Date 7-11-72

Charles W. Whistman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as ( zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 0-58-72 on the 11th day of July, 1972.

ATTEST (SEAL)

Charles W. Whistman  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 17th day of July, 1972-at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Whistman  
CITY CLERK

Approved and signed by me this 17th day of July, 1972 at the hour of 11:30 o'clock A. m., E.S.T.

Sam A. Talarico  
MAYOR

Bill No. S-72-06-20

REPORT OF THE COMMITTEE ON CITIES UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance  
approving memorandum of understanding between DANNIE'S  
MOBILE HOMES, INC. and the CITY OF FORT WAYNE for sanitary  
sewage disposal and treatment facilities in Valley Hills Estates.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

Paul "Mike" Burns, Chairman

Eugene Kraus, Jr. Vice-Chairman

William T. Hinga

Donald J. Schmidt

Winfield C. Moses, Jr.

*Paul "Mike" Burns*  
*Eugene Kraus Jr*  
*William T Hinga*  
*D Schmidt*  
*Winfield C. Moses Jr*

FORWARDED IN DATE 7-11-72 CONCURRED IN  
DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK  
*Charles W. Westerman*



## THE CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS  
City-County Building  
Fort Wayne, Indiana 46802

58-168-4

June 2, 1972

Mr. David B. Keller  
City Attorney  
1310 Anthony Wayne Bank Building  
Fort Wayne, Indiana 46802

Dear Mr. Keller:

Please prepare an ordinance to be introduced in the Common Council Tuesday, June 13, 1972 at 8:00 p.m.

SEWER AGREEMENT between Dannie's Mobile Homes, Inc. and the City of Fort Wayne, Indiana, for sanitary sewage disposal and treatment facilities in Valley Hills Estates.

Yours truly,

Jerry D. Boswell  
Ronald L. Bonar  
William G. Williams  
BOARD OF PUBLIC WORKS

/ss

encl. (copy of agreement)